

United States District Court District of Massachusetts

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2012-10226-DJC

JOHN KOSTA,
FIDENCIA SERRANO-ESQUER,
NESTOR ANTONIO VERDUZCO,
DENNIS NOWICKI,
ALEXANDER NAPOLEON,
DONALD McCORMICK,
TAMARA KOSTA,
Defendants.

FIRST ORDER OF EXCLUDABLE DELAY

COLLINGS, U.S.M.J.

The Court orders the following period of time excludable from the time period within which trial must commence:

August 2, 2012 - Indictment returned.

August 7, 2012 - Initial Appearance (Kosta, Nowicki, Napoleon, Tamara Kosta)

August 8 - September 24, 2012 - Excluded as per 18 U.S.C. § 3161 (h)(6).

September 25, 2012 - Initial Appearance in District (Verduzco)
Conference held (McCormick)

September 26 - November 4, 2012 - Continuance granted, The Court finds that it is in the interests of justice in this particular case to provide the defendants with 40 additional days to review the discovery provided by the Government, to make discovery requests and to decide whether to file pre-trial nondiscovery-type motions and that those interests outweigh the best interests of the public and the defendant in a speedy trial. Not granting this continuance would deny counsel for the defendant a reasonable time necessary for effective preparation. See 18 U.S.C. § 3161(h)(7)(B)(iv).

Thus, as of November 4, 2012, NO (0) non-excludable days will have occurred leaving SEVENTY (70) days left to commence trial so as to be within the seventy-day period for trial set by statute.

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

September 25, 2012.